PHE

App. F. IX—4

Previous References.

JTB. 6. 54 - 8

Later References.

(1955 SG
JTB

File No. 10 · 55

Serial Nos. 1, 2, 3.

MYSORE GOVERNMENT SECRETARIAT

Serial Nos. 3.

Part B for August · 1955.

SUBJECT

Disposal of Site no 94 · New Statue Square, Mysore.

WD 0249—GPB—25,000—16-9-55

L 5966-67 22. 8. 55.

2e Chairman, T. C. B.
C. S. A.

Affd

4814/1/RE

Serial No.

Petn of Mr. K. C. Ramiah Nut Merchant, Avenue Road, B'lore re disposal of site No. 24 in New Statue Square, Mysore

1) Orders of the Leg Minister:-
"Issue a stay order the Chairman, T.B may be communicated by phone"
(Sd) V.C. 2/10/10.

2) Note of the Leg Secy:-
"I tried to contact Sri S. Singamma on the 10th night and 11th morning. I could get him on the phone only yesterday afternoon. He said that the sales had been held and that a sum of Rs 27,000 realised for four sites. He felt that there were many other similar cases and that it would be difficult to reopen it. However, a report will be called for; if approved, Minister Leg" (Sd) S.V.N 6/12/10

3) Orders of the Leg Minister:-
"Pending final orders on the report of the Chairman, the sale purchasers should not

Note.—Contn. Sheet

(2)

File No. 4814 of 195

Mysore Government Secretariat

Serial No.

be fixed in possession of the site pld."
(sd) T.C
17/12/10

4) Views of the Secy, Leg:-
"Issue orders today"
(sd) T.V.H
17/12/10

5) submitted with a draft letter to the chairman, M.T.B and an endorsement to the petitioner
17/12/10 17/12/10

6) Issue May
13/12

To,

The chairman M.T.B
L 8514 d 13-10-54
calls for a report &
issue stay order

To,

Sri. K.C. Ramiah
L 8515 d 13-10-54
Sri A-this issues an endorsement

Letter No. B3-C.61/51-53 d 18-10-54
from the chairman,

Serial No.

Mysore Trust Board on the subject

~~Sub~~.

page 1 | 7) submitted Sri. K. C. Ramiah, representative that site No. 24 formed ~~part~~ out of the property belonging to him in the New statue square Mysore which was auctioned by the Mysore city Improvement Trust Board may be restored to him, for the following reasons:-

(1) that the property is not required for the purpose for which it was originally acquired;

(2) that the site has a frontage towards the conservancy lane and the property abuts ~~the~~ his building and has a special value for him;

(3) that he has suffered considerable loss, as a portion of his building has been acquired and the remaining portion of the building has diminished in value

and (4) ~~that~~ that he has not received the compensation awarded; the owners of the adjoining properties which were acquired resorted to court and they got enhanced compensation; he did not resort to this method

8) The report dt. 18-10-54 (page 10) of the chairman, Mysore Trust Board is submitted

Note.—Contn. Sheet

(4) Petn of Sri. K.C. Ramiah — Disposal of site No 24, New Statue Square, Mysore.

File No. — of 195 .

Mysore Government Secretariat

Serial No.

for perusal. In the following reasons, the chairman says that the petition of Sri Ramiah may be rejected :—

(a) only a minimum area as required for the formation of the circle was acquired. The remaining portion of the building along with three other buildings has been left out of acquisition.

(b) He went in appeal to the court twice against the award and his appeal was dismissed. The statement made in his appeal petition to the effect that he did not appeal to the court is false.

(c) It is not true that his building is facing a conservancy lane, as there is no conservancy in the area.

(d) several others whose properties were acquired have taken compensation and have come to bid in the open auction : the profit of the petitioner is a small one, when compared to those of his neighbours of the same category.

(e) the sales already held may not be disturbed, as it would lead to endless complications and precedents and create many problems to the Govt : public will lose faith

Serial No.

in the ground and will hesitate to bid in open auction.

(d) The second stage of acquisition in the north-eastern section is taken up as per chief Minister's orders and work will be hampered, if there is deviation at this stage

9) There is one strong point in the appeal petition of Sri. Ramiah in his protest ~~in the~~ against the acquisition of a portion of his building – which, he says, has diminished the value of the remaining portion. Under section 49 (1) of the L.A. Act, no portion of the building shall be acquired, if the owner desires that the whole building shall be acquired provided the owner withdraws his objection at any time before the award is passed and provided that if any question arises as to whether any area proposed to be taken does or does not form part of ~~the house~~ building a house, the D.C. shall refer the matter to the Court for a decision. The petitioner seems to have not objected to the acquisition of the portion at the proper time, as provided in the L.A. Act. But Court cannot perhaps take cognisance of this plea at this stage. In these circumstances, the following points for orders are:

(1) Whether the site may be ordered to be

Note.—Contn. Sheet

b Petn of Sri. K. C. Ramiah — disposal of site No 24, New Statue Square,

File No. D 4814 √ 515-4 of 195 . Mysore Government Secretariat

Ry/Sec.

Serial No.

restores to the owner by cancelling the auction already held on (1) Whether the petition may be rejected, as suggested by the chairman and the stay order vacated.

Ref para 3 in page 1 of the note sheet.

Sec 28/10 CM 29/10 10) In view of the fact that the points urged in the petition are reported to be false, the petition may be rejected and the stay order vacated.

Secy Dept 11) 13/11/54

Minister L&G) ES, L&SG i/c 12) I will inspect the spot & then decide.

29.11.54

29/11

29/11

13) A draft letter is put up.

Sec 1/12 CM 3/12 14) Issue draft as put up

5/12

195
5594
G DEPARTMENT

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL-SELF GOVERNMENT.
16 NOV
No 3719

WD 04861—GPB—60,000—22-1-54

Disposal of site No. 24 — New statue square, Mysore. 5154

5154/7871/1866 ME

To,

The Chairman, Mysore T.B.

L 11417 of 13-12-54 states that the Minister for P.H and Tsg will inspect the spot.

15) This may kindly be referred to the P.A. to the Minister for P.H and Tsg, with reference to the orders in para 12 in the previous page.

M 23/12 P.H

16) 25/12

to Minister Dept

OFFICE OF THE MINISTER FOR PUBLIC HEALTH MEDICAL-SELF GOVERNMENT.
27
No 4993

17) I have made enquiries in the matter when I was at Mysore in May 55. Confirmation of the Sale of the Site No 24. to Sri. Puttalingiah in Public auction held on 11.10.54 is approved as recommended by the Trust Bd. The petition of Sri-Ramaiah is rejected.

26.7.55

30.

18) Dft endorsement to Sri K.C. Ramaiah intimating the orders of Govt and Dft letter to the ~~Chairman City of T.B Mysore~~ are prompt for kind approval

19) Issue

GOVERNMENT OF MYSORE

5154 / 7871 / 1866 mc

8 Disposal of site No 24 — New Statue Sq area

Issued to the Chairman alg DTB Mysore
" Contractor Rs 200 Bangalore

Sale of Site No 24 to Sri Puttadunjesh in public auction held on 11/12/54 at Rs 49/- is approved

L 5966-67 / DTB 10-55 dt 22/8/55

Issued to — the Sri K.C. Lakshmaiah
Merchants Avenue Road
Bangalore

Copy to the Chairman alg DTB Mysore
intimating that his petition is rejected

L 6033-4 / DTB 10-55 dt 22-8/55.

'B'

L
28/8/55
Mgt

Serial No.

Letter No. B3.C.503/53-4 & 13-1-55 from the Chairman, M.T.B. re confirmation of the sale of shop site No. 24 in New Statue Square, Mysore.

And the letter of even no. & date from the same officer.

1) Orders of the Minister for Leg on the letter dated 13-1-55 to him:—

"Leg Secy — References"

(Sd) V.C.

13/1

2) Submitted with the collection leading to the issue of ~~ground~~ G.O. No. 11334-5/M.T.B 6-54-8 dt 11-12-54 affecting the sale of sites nos 22, 23 & 25 in Statue Square and stating that orders re the sale of site No. 24 will be issued separately. ~~The confirmation~~ The proposal to confirm the sale of site No 24 was withheld, as Sri. K.C. Ramaiah has protested against the sale of this site by the Board. The main file re the protest of Sri. Ramaiah has been referred to the P.A. to the Leg Minister on as the Hon. Minister for Leg has ordered that he would inspect the place. A detailed note is put up in this file.

flg D of the collection proof

D. No 5154/54-5

NOTE. Contn. sheet

Sale of shop site No 24 in
7605 Statue Square – Mysore.
rd 7871
File No. of 195

Mysore Government
Secretariat

Serial No.

The chairman
may perhaps be intimated that as already
informed, he may wait for the issue
of orders on the sale of site No. 24, as
the question is. In personal and orders
with reference to the orders of the Leg
Minister in para 1 overleaf.

Mar 30/61

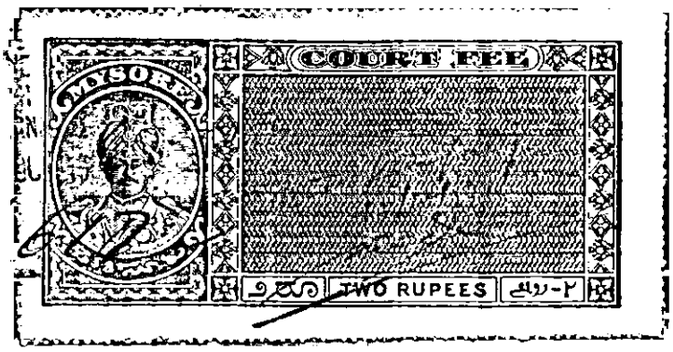
The file is with the Hon Minister

PA
to Minister

13/2-

OFFICE OF THE MINISTER FOR
PUBLIC HEALTH & LOCAL SELF
GOVERNMENT.
15 FEB
No. 5805

WD 07074—GPB—80,000—5-10-54



(1)

OFFICE OF THE MINISTER FOR LOCAL-SELF G... Govt.
No. 3040

4814

BEFORE THE HONOURABLE MINISTER FOR LOCAL SELF GOVERNMENT IN MYSORE, BANGALORE.

SECRETARY TO ... 4724. 12 ... 1954 L.S.G. DEPARTMENT

Petitioner:- ... K.C. Ramiah, son of Kodagi Channarayappa, Nut Merchant, Avenue Road, Bangalore City.

The petitioner abovenamed begs to state as follows:-

1. Site No.24 in New Statue Square Lansdowne Bazaar, Mysore, formed by the Mysore City Improvement Trust Board, originally belonged to the petitioner and formed part of his house No. 138 in Santhepet, Mysore. Part of the building bearing No.138 belonging to the petitioner was acquired by the Mysore City Improvement Trust Board for the formation of New Statue Square in Mysore, and the building standing thereon has been demolished. After acquisition the Trust Board, however, found that the area acquired from the petitioner and others was more than the area required for the Square and the Trust Board sold in public auction the surplus area. The portion acquired from the petitioner faces the conservancy lane and is usefully only for the petitioner. The said site No.24 was put up for public auction twice before but the same was not disposed of as proper bids were not made in the opinion of the Trust Board.

Recd today at 12.10 PM

LSG. Secy. Issue a stay order. The Chairman, T.B. Mysore, may be Communicated by Phone. 10/10/54

I tried to Contact Sri T. Lingappa on the 10th inst and 11th morn. I could get him on the phone only yesterday afternoon. He said that the sale had been held and that a sum of Rs 27,000 realised for four Sites. He felt that there were many other similar Cases and that it would be difficult to reopen it. However a report will be called for. 12/10

12/10

Minister)

3040 (2)

2. The petitioner has not received the Compensation Awarded in respect of the building and land acquired from him and he has suffered considerable damage on account of a portion of his building having been acquired. The site in question has a special potential value for the petitioner as the same originally formed part of his building.

Pending final orders on the report of the Chairman, the sale purchasers shd not be put in possession of the sites sold

12/10/54

3. The Mysore City Improvement Trust Board has notified that site No.24 will be sold in public auction on 11.10.54. The petitioner prays that instead of disposing of the site in public auction the same may be granted to him in lieu of the compensation awarded but not received by him for the following reasons:-

Let issue order today

(a) It has been found that the property is not required for the purpose for which it was originally acquired and hence it is only fair that it should be restored to the petitioner.

13/X very much

(b) Previous attempts by the Trust Board to sell the site in public auction were not successfull as the site has a frontage towards the conservancy lane. The property abuts the petitioner's building and has a special value for him.

SECRETARY TO GOVT. ... DEPARTMENT 13 ... 1954

'c) On account of a portion of the petitioner's building having been acquired, he has suffered considerable loss and the remaining portion of the building - has diminished in value. The petitioner

(3)

petitioner has not received the compensation awarded. The compensation awarded is also not adequate. Whereas the neighbouring owners of property whose lands were acquired resorted to court and compensation payable to them was enhanced, the petitioner did not resort to that method.

Petitioner.

B. J. Kempa Raj

Advocate for
Petitioner.

OFFICE OF THE CHAIRMAN, CITY IMPROVEMENT TRUST BOARD, MYSORE.

Sale Notification dated 4th September 1954.

Rare opportunity to Businessmen and Investors.
Best shop sites in the Best Business Locality.

The public are hereby informed that *four* best shop sites in the layout of the *New Statue Circle* in the centre of the City near Devaraja Market and Lansdowne Buildings, will be sold by the Chairman or any person authorised by the Chairman, City Improvement Trust Board, Mysore, on the spot in public auction on the date and time mentioned below subject to the conditions laid down below. As these sites are situated in the best business centre of the city, it is a rare opportunity to business people and investors. These are the only *four* remaining sites in the area.

2 : The auction purchaser is bound to the conditions mentioned in paras 6, 7, 8 and 9 of the Government Order No. 8056-8—Ml. 127-18-2, dated 31st December 1918.

3 : The auction purchaser should deposit immediately when the sale is concluded, 25 per cent of the bid amount and pay the balance within 15 days from the date of sale, failing which the amount deposited by him will be forfeited.

4 In default of payment of the full amount of the bid within the prescribed period, the Chairman may direct the resale of the site after defraying the expenses of the original sale out of the deposit amount. If the proceeds of the resale is less than the price bid by the defaulting purchaser, the difference will be recovered from the defaulting purchaser.

5 The sale is subject to confirmation by Chairman, City Improvement Trust Board, Mysore, who may fix up a higher price than the bid amount if the latter were to be low. The sale is further subject to approval by Government.

6 The Trust Board is not responsible for the inaccuracy if any in the dimensions and description of sites.

7 The purchaser after the sale is confirmed should execute the *mutchalika* in the form prescribed which includes the conditions mentioned in the Government Order noted above and should put up a building on the site as per design approved by the Trust Board.

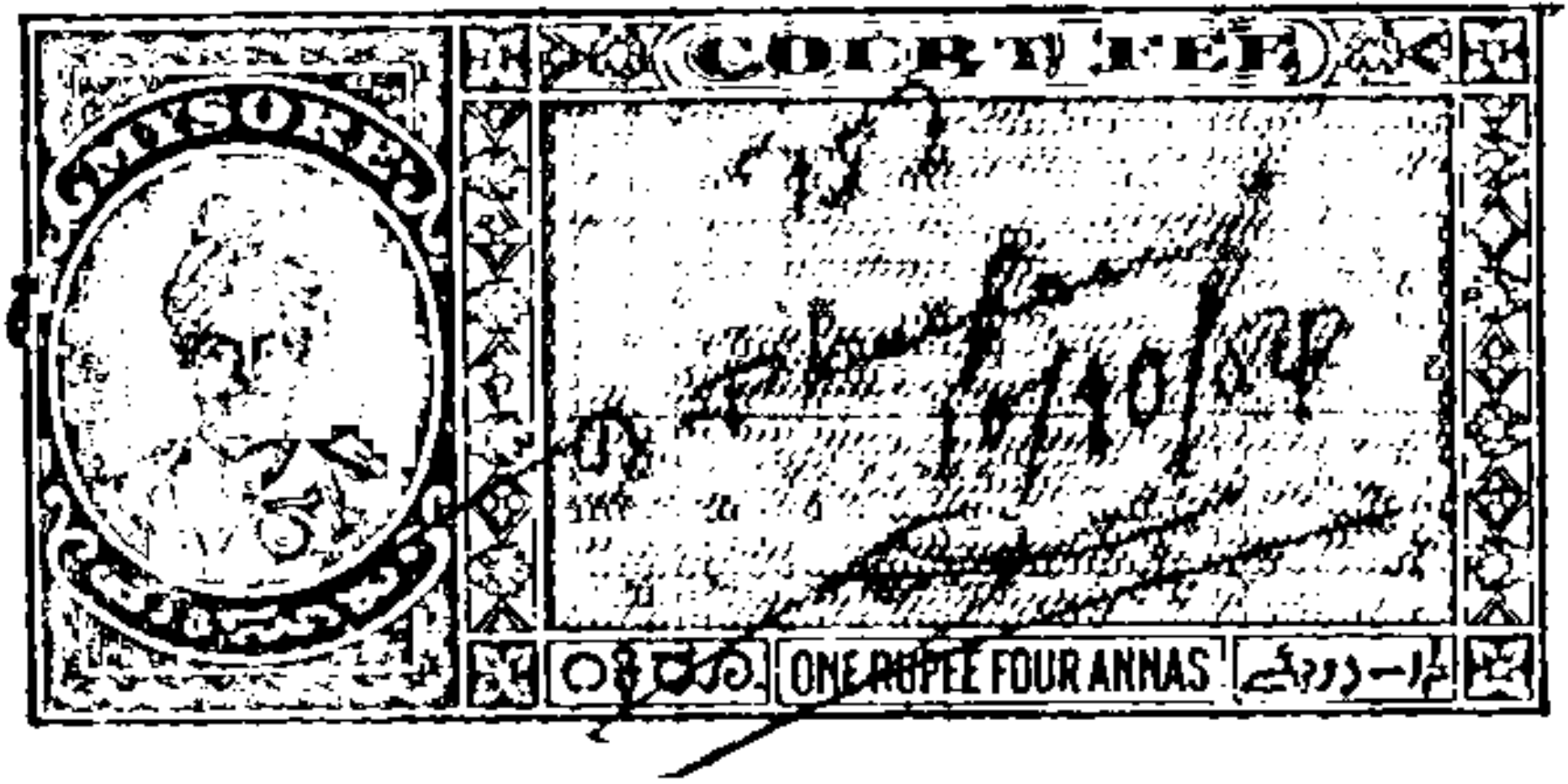
8 The Sale Conducting Officer may fix the minimum bid, etc., for each site.

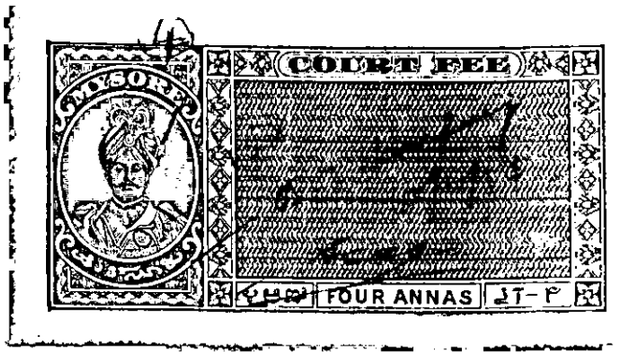
9. Every bidder should deposit Rs. 200 before he bids which is refundable in case his bid is not accepted.

10 The layout plan of the sites and the dimensions of the sites and any other information required may be had in the office during office hours.

The sites will be sold on the 11*th October* 1954 *commencing from* 9-15 *a.m. on the spot.*

S. LINGANNA,
Chairman.


MYSORE
CODE TYPE
ONE RUPEE FOUR ANNAS



BEFORE THE HONOURABLE MINISTER FOR LOCAL SELF GOVERNMENT IN MYSORE, BANGALORE.

Petitioner:- .. K.C.Ramiah, son of Kodagi Channarayappa, Nut Merchant, Avenue Road, Bangalore City.

STAY APPLICATION.

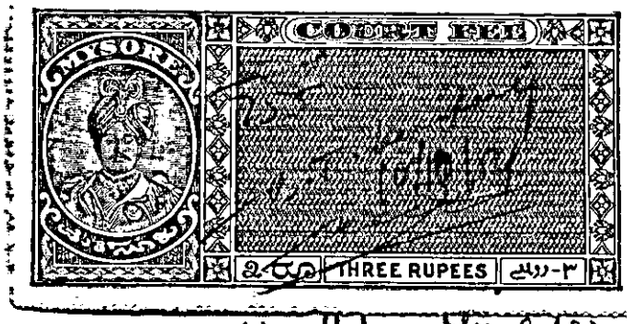
1. The petitioner has this day made an application for grant of site No.24 in Lansdowne Bazaar, formed by the Mysore City Improvement Trust Board.

2. The said site No.24, originally formed part of his building in Santhepet, Mysore and there are equitable grounds, detailed in his petition, on which the petitioner's request deserves consideration.

3. The Mysore City Improvement Trust Board has however notified that site No.24 would be sold in public auction on 11.10.54 and the petitioner will be put to irrepairable loss if the auction takes place before his petition is disposed of.

4. Wherefore the petitioner prays that pending disposal of his petition the proposed auction of site No.24 may be stayed.

Petitioner.



(5)

In the Court of The Hon'ble Minister for L.S.G. and Health
In Mysore - Bangalore

No. of 195

Plaintiff/Appellant/Petitioner
~~Decree Holder~~/Claimant

Defendant/Respondent
Judgment Debtor

Sri K. C. Ramiah | Vs. | City Improvement Trust Board, Mysore

1. I/We petitioner above named do, by these presents, retain Sri. R. K. Parry, B.A. LL.B.
B. T. Kempa Raj B.A, B.L.
Advocates 14, Avenue Road, Bangalore 2
to appear and conduct the above case on my/our behalf to judgment.

2. I/We further empower him/them to appear, plead, file petitions, enter into compromise and do all necessary acts in the above case, to execute any decree or order that may be passed in my/our behalf, to prefer an appeal from any order, judgment, and to receive from the Court all the documents, refunds and all sums of money that I/We may be entitled to get and grant receipts therefor and to effect compromise or settlement.

3. I/We also undertake to confirm and ratify all the acts done by any of the said Advocates or by any other Advocate or Pleader on his/their behalf in so doing.

4. I/We further agree that if I/We fail to pay the fees agreed upon or to give due instructions at proper stages he/they are at liberty to retire from the case and recover all dues due to him/them.

Executed

Bangalore
.....19

personally known to me and signed in my presence-
9/4/54

Accepted
R. K. Parry
B. T. Kempa Raj
Advocates for Petitioner

Sold at :
Legal Practitioners Co-operative Society Ltd, Bangalore.

(6)

Subject :- Disposal of site No. 24 in New Statue Square Lavelle Road Bazaar, Bangalore.

2 85/14 & 13/10/54

To,

The Chairman, C.I.T.B, Bangalore

Sir,

I am directed to send herewith, for an immediate report, a copy of petition received from Sri. K. C. Ramiah, Nut Merchant, Avenue Road, Bangalore city, on the subject.

Pending issue of final orders of Govt in the matter, the sale purchasers should not be put in possession of the sites sold.

In this connection, I am also to invite reference to the conversation and the information given to Secy to Govt, Housing & Planning Dept on phone on 12/10/54 regarding the sale of four sites at a cost of Rs 27,000

Yours faithfully,

Asst Secy

(7)

L 8514

13th October 1954

The Chairman,
City Improvement Trust Board,
M y s o r e.

Su ject: Disposal of site No.24 in New Statue Square, Lansdowne Bazaar, Mysore.

- - -

I am directed to send herewith, for an immediate report, a copy of petition received from Sri K.C.Ramiah, Nut Merchant, Avenue Road, Bangalore City, on the subject.

Pending issue of final orders of Government in the matter, the sale purchasers should not be put in possession of the sites sold.

Yours faithfully,

(V.Hanumanthappa)
Asst. Secretary to Government,
L.S.G. & Planning Departments.

8

disposal of site No. 24 in
New statue square Lalbagh
L 8515 & 1B-10-54 Bangalore, Mysore.

Extract from grants to
Sri. K. C. Ramiah
son of Kodagi
Channarayappa.
Nut Merchant.
Avenue Road
Bangalore.
through his Counsels
Sri B. T. Kempa Raj, B.A., B.L.
Advocate,
Bangalore City.
Sri R. K. Pany, B.A. LL.B.
Advocate,
14. Avenue Road,
Bangalore 2

With reference to the petition
dt 9-10-54 addressed to the
Minister for P. H. & Tpt on the
above subject, Sri. K. C. Ramiah
is informed that their request is
receiving attention and that
been issued to the Chairman
C. D. & B, Mysore to the effect that
pending the issue of final orders
the sale purchasers should not be
put in possession of the plots
for which stay orders in the writ petitions
have been issued.

Ulcair
13/10

Bho
Asst Secy

(7)

GOVERNMENT OF MYSORE.

Mysore Government
General and Revenue Secretariat,
XXXXXXXXXXXXXX
(Municipal Branch).

No. L.8515

Dated Bangalore, 19
13-10-1954

ENDORSEMENT.

To

Sri K.C.Ramiah,
son of Kodagi Channarayappa,
Nut Merchant, Avenue Road,
Bangalore City

thro' his Counsels
Sri B.T.Kempa Raj, B.A., B.L.,
xxxxxxxx, and
Sri R.K.Pany, B.A., LL.B.,
Advocates, No.14 Avenue Road,
Bangalore-2.

Subject: Disposal of site No.24 in New Statue Square Lansdowne Bazaar, Mysore.

- - -

With reference to his petition dated 9th October 1954 addressed to the Minister for Public Health and Local Self-Government, on the above subject, Sri K.C.Ramiah is informed that his request is receiving attention and that orders have been issued to the Chairman, City Improvement Trust Board, Mysore, to the effect that pending the issue of final xx orders the sale purchasers should not be put in possession of the sites sold.

(V.Hanumanthappa)
Asst. Secretary to Government,
L.S.G. & Planning Departments.

knr-3/13.X

(10)

No. B3-C61/52-3

Encl.

MYSORE GOVT. SECRETARIAT
5154
22 OCT 1954
MUNICIPAL BRANCH

OFFICE OF THE CHAIRMAN,
CITY IMPROVEMENT TRUST BOARD,
POST BOX NO. 55, MYSORE.

Dated 18th Oct. 1954.

SECRETARIAT TO GOVT.
20 OCT 1954
L.S.G. DEPT.

FROM

SRI S. LINGANNA,
Chairman, City Improvement Trust Board,
MYSORE.

TO

Sri. G. Venkatakrishna Rao, B.Sc., (Hons), I.A.S.,
Secretary to the Government of Mysore.
Local Self-Government & Planning Departments,
BANGALORE.

SIR,

Subject : -Disposal of site No.24, New Statue Square, Lansdowne Buildings, Mysore.

With reference to your letter No.8514 dated 13-10-1954 forwarding a copy of petition received from Sri K.C.Ramiah, Nut Merchant, Avenue Road, Bangalore, for immediate report, I write to state as follows:-

The plea that the area was more than what was required is not correct. In fact the present L.S.G.Minister at one time had suggested the acquisition of the whole building of the applicant. But it was dropped along with three other buildings and only the minimum area required for the formation of the circle was acquired.

The applicant is not the only person whose property has been acquired in part. There are three others who own substantial and extensive buildings. The applicant's building is not even a pucca structure. It is only a tiled small shop compared to those of the three others of his category. They have all taken the award amounts and a majority of them have not contested in any Court. Their behaviour has been very gentlemanly and straight-forward, in that they have come and bid in the open auction and one of them has purchased a site. What prevented this applicant from bidding in the open auction is easily discernible now. Perhaps he was banking upon his local status and his questionable methods. He has not been true and honest in his representations both to the Government and the Board. He has stated in the last para of his petition to Govern-

P.T.O.

(11)

Government copied on 13-10-1954 to me that "he has not resorted to Court to seek redress". This statement coming as it does from a person of the status of Dharmaprakasa K.C.Ramiah, is very much to be regretted. He has not only gone to Court and failed, but has appealed a second time which has also been dismissed. He preferred an appeal in the District Judge's Court againhst the award of the Land Acquisition Officer in Mis.No.104/46-47. It was dismissed on 17-10-1947. Again he applied for a review on 11-8-48 in the same Court in Mis.No.18/48-49 for setting aside the dismissal order. Arguments were heard and the Court decided on 26-9-1949 that there were no grounds for setting aside the dismissal order passed on 17-10-1947 and so the application was rejected. Hence it is clearly seen that after having fought tooth and nail against the Board, this applicant has the temerity to make a false statement before Government, stating that he has not resorted to Court and hence concession may be shown.

It is also not true to say that his building is facing a conservancy. There is no conservancy as such in the area. All the sites are designed as back to back sites. If this site has a special value for the petitioner, much more so to several others, who stand in the same category and who have not complained or asked for any concession.

This is the third auction that has been conducted in the area and heavy outstandings are still due from the several purchasers of the two previous auctions. Since there are several others of his category who have lost part of their sites (back portion) but have their shops in tact, and since the party's property is a very small one, when compared with his neighbours'of the same category, and since all of them have taken awards and come to bid in the open auction, I would request Government not to disturb the sales, since it will lead to endless complications and precedents and will create many problems to the Board.

The second stage of acquisition in the north-eastern section is being taken up as per Chief Minister's orders and work will be hampered also if we deviate from the procedure adopted up-till now. Public will loøse faith in us and will hesitate to bid in open auction and the Trust Board

(12)

Trust Board will be put to heavy loss thereby.

In view of all the facts mentioned above, and also in view of the fact that the property acquired from the petitioner is the minimum area required for our purpose, the party's contention bears no scrutiny either on moral or legal grounds. His application may kindly be rejected.

Yours faithfully,

S. Linganna

(S.Linganna)
Chairman.

14/10/54

DVS)

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*).

Subj:- Disposal of site No. 24, New statue square, 13 Lansdowne Buildings

3 wfp

L 11413
13-12-54

To,

The Chairman,

C.I.T.B, Mylapore

Sir,

With reference to your letter No. B3-C61/5453 dt 18-10-54 on the above subject, I am directed to state that that the Minister for P.H & Labour proposes to inspect the spot on and then decide the case.

yours &c
Sgn
Asst Sec

L 11418
13-12-54

wfp to the P.A. to the Minister for P.H & Labour for information

Sgn
Asst Sec
C.I.T.B

WD 06819—GPB—25,000—26-7-49

14

L 11417

Dt 13-12-54

The Chairman,
City Improvement Trust Board,
Mysore.

Subject: Disposal of site No.24, New Statue Square, Lansdowne Buildings.

- - -

With reference to your letter No.B².C.61/52-3 dated 18-10-1954, on the above subject, I am directed to state that the Minister for Public Health and Local-Self-Government proposes to inspect the spot and then decide the case.

Yours faithfully,

SD /V.Hanumanthappa/
Asst. Secretary to Government,
L.S.G. & Planning Departments.

knr-3/7.12

P.T.O

15

Memo No.L. 11418 /13-12-54

Copy of the above is forwarded to the Personal Assistant to the Minister for Public Health and Local-Self-Government, for information.

(V.Hanumanthappa)
Asst. Secretary to Government,
L.S.G. & Planning Departments.

(16)

No.B3.C.503/53-4.
Encl. One.

OFFICE OF THE CHAIRMAN,
CITY IMPROVEMENT TRUST BOARD,
POST BOX No. 55, MYSORE.

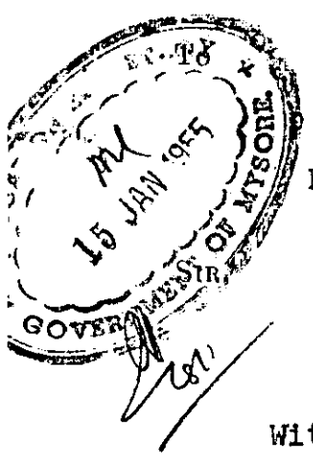
Dated..13th..Jan.....1965.

2
5567

FROM

SRI S. LINGANNA,
Chairman, City Improvement Trust Board,
MYSORE.

7605



...Sri..B.M.Krishnan,..B.A.,..I.A.S.,
Secretary to the Government of Mysore.
Education & *Local Self-Government & Planning Departments,*
BANGALORE.

Subject : Confirmation of sale of shop site No.24 in the New Statue Circle, Mysore.

With reference to G.O.No.L.11334-5/I.T.B.6-54-8 dated 11-12-54 approving the confirmation of the sale of site Nos. 22,23 and 25 in the New Statue Circle, in public auction on 11-10-1954, and directing that separate orders will issue in regard to the sale of site No.24, and also letter No.L.11417 dated 13-12-54, on the above subject, I write to state that the Board has to pay to Government the amount advanced on this scheme and also interest on the capital. The representation of similar persons who have lost their back portion in the same area have not been considered and the sites sold in auction and sales are confirmed by Government. ~~if this present~~ in Several owners have purchased in open auction, their back sites which were auctioned. If in the present case the sale is not confirmed, it will complicate the sale already made and also the sale of sites in future. There are similar properties on the north-eastern sectir of the circle to be dealt with. In view of this, I request that the sale of the site may kindly be approved by Government. A copy of the Board resolution No.315 dated 29-12-54 is also enclosed herewith for kind information of Government.

Yours faithfully,

S Linganna.
(S.Linganna) 13/1
Chairman.

DVS)

(2) 17

City Improvement Trust Board, Mysore.

Dated 13-1-1955.

Extract from the Proceedings of the Ordinary Meeting of the Board of Trustees for the Improvement of the City of Mysore, held on 29-12-1954.

xxxx xxxx xxxx

315: G.O.No.L.11334-5/I.T.B.6-54-8 dated 11-12-54 approving the confirmation of the sale of site Nos. 22,23 and 25 in New Statue Square, sold in public auction on 11-10-1954.

Recorded. Government may be requested to approve the confirmation of sale of site No.24 also, as any other decision may upset the sales conducted in the area.

Sd/S.Linganna,
Chairman.
29-12-54.

xxxx xxxx xxxx

"Copy"

S. Linganna.
CHAIRMAN 13/1

DVS)

No. B3.C.503/53-54.

Encl. One.

OFFICE OF THE CHAIRMAN,
CITY IMPROVEMENT TRUST BOARD,
POST BOX NO. 55, MYSORE.

Dated... 19th Jan. 1955.

FROM

SRI S. LINGANNA,
Chairman, City Improvement Trust Board,
MYSORE.

TO

Sri B.M.Krishnan, B.A., I.A.S.,
Secretary to the Government of Mysore.
Education & *Local Self-Government* ~~Planning~~ *Departments,*
BANGALORE.

SIR,

Subject : Approval of the confirmation of sale of shop site No.24 in New Statue Square, Mysore, in public auction on 11-10-1954.

I enclose herewith, for kind perusal, a copy of my D.O. letter addressed to the Minister for Public Health and L.S.G. regarding the subject mentioned above, and to request that orders of Government may kindly be communicated at a very early date, approving the confirmation of the said site, in view of the circumstances mentioned therein.

Yours faithfully,

S. Linganna
(S.Linganna)
Chairman.

DVS)

(4) 19

S. L[redacted]ANNA,
Chairman.

City Improvement Trust Board,
Mysore.

D.O.No. B3.C.503/53-54.
Encl: Two.

Dated 19th January 195 5.

Dear Sir,

Re: Approval of the confirmation of sale of shop site No.24 in New Statue Square, Mysore, in public auction on 11-10-1954.

In enclosing herewith, for kind perusal, a copy of this office letter of even No. dated 13-1-1955 as also a copy of Trust Board resolution No.315 dated 29-12-1954 regarding the above, I write to state as follows:-

The above scheme was undertaken by the Board as per kind instructions of Government and the properties in question were acquired after a good deal of correspondence and pressure. The properties required for the above purpose were dismantled and sites formed thereon, as per sanctioned plan. These sites were disposed of by public auction twice and only 4 sites were remaining for disposal. They were also notified for auction on 11-10-1954 and the Board has confirmed the auction sales held on 11-10-1954. Government in their order No.L.11334-5/ ITB.6-54-8 dated 11-12-1954 approved the confirmation of sale of sites Nos. 22,23 and 25 only, with directions that separate orders would be issued in regard to the sale of site No.24. While recording this Government Order, the Board at its meeting held on 29-12-1954 resolved that Government be requested to approve the confirmation of sale of site No.24 also, as any other decision may upset the sales already conducted in the area The party was requested to bid in the auction as other owners who lost the properties in the area. Still he turned a deaf ear to the requests of this office.

In this connection, I would also invite kind reference to this office letter No.B3.C.61/53-54 dated 18-10-1954 wherein a detailed report has been submitted to Government, regarding the allegations made by the applicant Sri K.C.Ramiah. A copy

P.T.O.

A copy thereof is herewith enclosed for kind perusal, wherefrom it is evident that as per records, the statements made by him are not true.

As already reported, this is a self-supporting scheme taken up by the Board at the instance of Government on the advance given by them, carrying interest. Though the sites were auctioned long back, still the full value of the sites has not been realised. There are heavy outstandings and every effort is being made to recover the same. Several of the owners who have lost part of their buildings have purchased sites behind their area in open auction. It was also open to the party to do the same. Instead he has been adopting questionable methods.

In addition, the Board has got to pay interest on the advance also. Unless such self-supporting schemes launched & and executed by the Board are approved by Government, the position of the Board becomes very unsafe. There is a further scheme to be taken up in the same layout to the north-eastern sector. If there are hindrances at every step, the Board cannot carry on its schemes smoothly and in addition, it has to pay interest unnecessarily out of its slender finances.

The matter has been reserved for spot inspection by you, as intimated in letter No.L.11417 dated 13-12-1954. In view of the circumstances set forth in this office letter No.B3.C.61/52-53 dated 18-10-54, Trust Board resolution No.315 dated 29-12-1954, letter No.B3.C.503/53-54 dated 13-1-1955 and also those mentioned above, I request that you may be pleased to approve the confirmation of the sale of the site in question and allow the Board to pursue its schemes smoothly, as the auction purchaser is ready to pay the full value of the site. Though several opportunities were given to the applicant, he has not availed of them and is now putting obstacles in the smooth working of the Board.

(Continued)
Page 3.

(b) 21

In view of all these facts, I request that you may be pleased to approve of the confirmation of sale of the site No.24 in public auction held on 11-10-1954; As the schemes of the Board will have to be implemented, I request the favour of very early orders of Government in the matter,

Yours sincerely,

Sd/S.Linganna,

Chairman.

Sri T.Chenniah, B.Sc.,
Minister for Public Health and
Local Self Government,
Government of Mysore,
Bangalore-1.

DVS)

"Copy"

S.Linganna.
Chairman. 19/1

(7) 22

S. LINGANNA,
Chairman.

City Improvement Trust Board,
Mysore.

No. 6649

D. O. No. B3.C.503/53-54.
Encl: (Two ~~of One~~ Three)

Dated 19th January 1955.

7871 JAN MUNICIPAL

Dear Sir,

Re: Approval of the confirmation of sale of shop site No.24 in New Statue Square, Mysore, in public auction on 11-10-1954.

In enclosing herewith, for kind perusal, a copy of this office letter of even No. dated 13-1-1955 as also a copy of Trust Board resolution No.315 dated 29-12-1954 regarding the above, I write to state as follows:-

EDUCATION 25 JAN 1955 GOVERNMENT OF MYSORE

The above scheme was undertaken by the Board as per kind instructions of Government and the properties in question were acquired after a good deal of correspondence and pressure. The properties required for the above purpose were dismantled and sites formed thereon, as per sanctioned plan. These sites were disposed of by public auction twice and only 4 sites were remaining for disposal. They were also notified for auction on 11-10-1954 and the Board has confirmed the auction sales held on 11-10-1954. Government in their order No.L.11334-5/ ITB.6-54-8 dated 11-12-1954 approved the confirmation of sale of sites Nos. 22,23 and 25 only, with directions that separate orders would be issued in regard to the sale of site No.24. While recording this Government Order, the Board at its meeting held on 29-12-1954 resolved that Government be requested to approve the confirmation of sale of site No.24 also, as any other decision may upset the sales already conducted in the area The party was requested to bid in the auction as other owners who lost the properties in the area. Still he turned a deaf ear to the requests of this office.

In this connection, I would also invite kind reference to this office letter No.B3.C.61/53-54 dated 18-10-1954 wherein a detailed report has been submitted to Government, regarding the allegations made by the applicant Sri K.C.Ramiah. A copy

P.T.O.

A copy thereof is herewith enclosed for kind perusal, wherefrom it is evident that as per records, the statements made by him are not true.

As already reported, this is a self-supporting scheme taken up by the Board at the instance of Government on the advance given by them, carrying interest. Though the sites were auctioned long back, still the full value of the sites has not been realised. There are heavy outstandings and every effort is being made to recover the same. Several of the owners who have lost part of their buildings have purchased sites behind their area in open auction. It was also open to the party to do the same. Instead he has been adopting questionable methods.

In addition, the Board has got to pay interest on the advance also. Unless such self-supporting schemes launched & and executed by the Board are approved by Government, the position of the Board becomes very unsafe. There is a further scheme to be taken up in the same layout to the north-eastern sector. If there are hindrances at every step, the Board cannot carry on its schemes smoothly and in addition, it has to pay interest unnecessarily out of its slender finances.

The matter has been reserved for spot inspection by you, as intimated in letter No.L.11417 dated 13-12-1954. In view of the circumstances set forth in this office letter No.B3.C.61/52-53 dated 18-10-54, Trust Board resolution No.315 dated 29-12-1954, letter No.B3.C.503/53-54 dated 13-1-1955 and also those mentioned above, I request that you may be pleased to approve the confirmation of the sale of the site in question and allow the Board to pursue its schemes smoothly, as the auction purchaser is ready to pay the full value of the site. Though several opportunities were given to the applicant, he has not availed of them and is now putting obstacles in the smooth working of the Board.

(Continued)
Page 3.

(9) 24

In view of all these facts, I request that you may be pleased to approve of the confirmation of sale of the site No.24 in public auction held on 11-10-1954; As the schemes of the Board will have to be implemented, I request the favour of very early orders of Government in the matter,

Yours sincerely,

S. Lingamma. 19/1

Sri T.Chenniah, B.Sc.,
Minister for Public Health and
Local Self Government,
Government of Mysore,
Bangalore-1.

DVS) 8/1

(40) 95

City Improvement Trust Board, Mysore.

Dated ~~13-1-1955~~.

Extract from the Proceedings of the ~~Ordinary~~ Meeting of the Board of Trustees for the Improvement of the City of Mysore, held on ~~29-12-1954~~.

xxxx xxxx xxxx

315: G.O.No.L.11334-5/I.T.B.6-54-8 dated 11-12-54 approving the confirmation of the sale of site Nos. 22,23 and 25 in New Statue Square, sold in public auction on 11-10-1954.

Recorded. Government may be requested to approve the confirmation of sale of site No.24 also, as any other decision may upset the sales conducted in the area.

Sd/S.Linganna,
Chairman.
29-12-54.

xxxx xxxx xxxx

"Copy"

DVS)

S. Linganna.
CHAIRMAN 19/1

(4)

No.B3.C.503/53-4.
Encl. One.

OFFICE OF THE CHAIRMAN,
CITY IMPROVEMENT TRUST BOARD,
POST BOX No. 55, MYSORE.

Dated 13th Jan. *1955.*

FROM

SRI S. LINGANNA,
Chairman, City Improvement Trust Board,
MYSORE.

To

Sri B.N.Krishnan, B.A., I.A.S.,
Secretary to the Government of Mysore.
Education & *Local Self-Government* ~~& Planning~~ *Departments,*
BANGALORE.

SIR,

Subject : Confirmation of sale of shop site No.24 in the New Statue Circle, Mysore.

With reference to G.O.No.L.11334-5/I.T.B.6-54-8 dated 11-12-54 (1) approving the confirmation of the sale of site Nos. 22,23 and 25 in the New Statue Circle, in public auction on 11-10-1954, and directing that separate orders will issue in regard to the sale of site No.24, and also letter No.L.11417 dated 13-12-54, on the above subject, I write to state that the Board has to pay to Government the amount advanced on this scheme and also interest on the capital. The representation of similar persons who have lost their back portion in the same area have not been considered and the sites sold in auction and sales are confirmed by Government. ~~If the~~ in Several owners have purchased in open auction, their back sites which were auctioned. If in the present case the sale is not confirmed, it will complicate the sale already made and also the sale of sites in future. There are similar properties on the north-eastern sectir of the circle to be dealt with. In view of this, I request that the sale of the site may kindly be approved by Government. A copy of the Board resolution No.315 dated 29-12-54 is also enclosed herewith for kind information of Government.

Yours faithfully,

Sd/-

(S.Linganna)
Chairman.

DVS)

"Copy"

S. Linganna.
Chairman. 19/1

(Hon) 27

No.B3.C.61/53-54.

Encl.

OFFICE OF THE CHAIRMAN,
CITY IMPROVEMENT TRUST BOARD,
POST BOX No. 55, MYSORE.

Dated...18th Octr. 1954.

FROM

SRI S. LINGANNA,
Chairman, City Improvement Trust Board,
MYSORE.

To

Sri G.Venkatakrishna Rao, B.Sc.,(Hons), I.A.S.,
Secretary to the Government of Mysore.
Local Self-Government & Planning Departments,
BANGALORE.

SIR,

Subject Disposal of site No.24, New Statue Square, Lansdowne Buildings, Mysore.

With reference to your letter No.8514 dated 13-10-1954 forwarding a copy of petition received from Sri K.C.Ramiah, Nut Merchant, Avenue Road, Bangalore, for immediate report, I write to state as follows:-

The plea that the area was more than what was required is not correct. In fact the present L.S.G.Minister at one time had suggested the acquisition of the whole building of the applicant. But it was dropped along with three other buildings and only the minimum area required for the formation of the circle was acquired.

The applicant is not the only person whose property has been acquired in part. There are three others who own substantial and extensive buildings. The applicant's building is not even a pucca structure. It is only a tiled small shop compared to those of the three others of his category. They have all taken the award amounts and a majority of them have not contested in any Court. Their behaviour has been very gentlemanly and straight-forward, in that they have come and bit in the open auction and one of them has purchased a site. What prevented this applicant from bidding in the open auction is easily discernible now. Perhaps he was banking upon his local statue and his questionable methods. He has not been true and honest in his representations both to the Government and the Board. He has stated in the last para of his petition to Govern-

P.T.O.

Government copied on 13-10-1954 to me that "he has not resorted to Court to seek redress". This statement coming as it does from a person of the status of Dharmaprakasa K.C.Ramiah, is very much to be regretted. He has not only gone to Court and failed, but has appealed a second time which has also been dismissed. He preferred an appeal in the District Judge's Court against the award of the Land Acquisition Officer in Mis.No.104/46-47. It was dismissed on 17-10-1947. Again he applied for a review on 11-8-48 in the same Court in Mis.No.18/48-49 for setting aside the dismissal order. Arguments were heard and the Court decided on 26-9-1949 that there were no grounds for setting aside the dismissal order passed on 17-10-1947 and so the application was rejected. Hence it is clearly seen that after having fought tooth and nail against the Board, this applicant has the temerity to make a false statement before Government, stating that he has not resorted to Court and hence concession may be shown.

It is also not true to say that his building is facing a conservancy. There is no conservancy as such in the area. All the sites are designed as back to back sites. If this site has a special value for the petitioner, much more so to several others, who stand in the same category and who have not complained or asked for any concession.

This is the third auction that has been conducted in the area and heavy outstandings are still due from the several purchasers of the two previous auctions. Since there are several others of his category who have lost part of their sites (back portion) but have their shops in tact, and since the party's property is a very small one, when compared with his neighbours'of the same category, and since all of them have taken awards and come to bid in the open auction, I would request Gove nment not to disturb the sales, since it will lead to endless complications and precedents and will create many problems to the Board.

The second stage of anquisition in the north-eastern section is being taken up as per Chief Minister's orders and work will be hampered also if we deviate from the procedure adopted up-till now. Public will loose faith in us and will hesitate to bit in open auction and the Trust Board

(429

Trust Board will be put to heavy loss thereby.

In view of all the facts mentioned above, and also in view of the fact that the property acquired from the petitioner is the minimum area required for our purpose, the party's contention bears no scrutiny either on moral or legal grounds. His application may kindly be rejected.

Yours faithfully,

Sd/-

(S.Linganna)
Chairman.

DVS)

"Copy"

S. Linganna.
Chairman. 19/1/55

30

S. LINGANNA,
Chairman.

City Improvement Trust Board
Mysore.

D. O. No B3.C.503/53-54 Dated 9th June ....1955.

My dear Sri Krishnan,

Subject:- Approval of the confirmation of sale of shop site No.24 in New Statue Square, Mysore, in Public Auction on 11-10-54.

I write to invite your kind reference to this office letter No.B3.C.503/53-54 dated 19th January 1955 on the above subject and to state that the party to whom this site is sold is pressing for the confirmation of the site to start construction thereon along with the adjoining site No.25, stating that he has invested very heavy amount on the site without any return so far. It seems reasonable to confirm the sale, as already explained. I therefore request you kindly to obtain and communicate orders of Government very early.

Yours sincerely,

S. Linganna
9/6

Sri B.M. Krishnan, B.A.,I.A.S.,
Secretary to the Government of Mysore,
Education and Self-Government Departments,
BANGALORE.

M. G. S. App. F VI—G. 2]

SUBJECT..... Confirmation of Sale of site No 24 — New Station Square Mysore

Diary No. of letter replied to.....

Mysore Government Secretariat

( )

the 195

Date of issue.....195

Signed by.....

May this be—

(i) printed ?
(ii) treated as a Standing Order ?
(iii) published in the Gazette, English Part ?
(iv) translated ?
(v) placed at the disposal of the Press ?
(vi) published in the Gazette, Kannada Part ?

Section ITB.

Serial No. 10-55

File No. 2

Proceedings of the Government of Mysore

Read (1) G.O. No L 11334-5/47-48 affirming the 6-54-8 dated 11.12.52, confirming the Sale of Site Nos 22, 23, and 25 in New Station Square and ~~and~~ C.S.T.B/Typ and intimating that Separate orders ~~Order thereon.—No.~~ will issue in regard to the Sale of Site No 24. And Station Square at the flower

(2) Correspondence ending with letter No B3. C. 508/5354 dated 9.6.55 from the Chairman, City S.T.B Mysore requesting for early orders of Govt regarding the Confirmation of Sale of site No 24

P.T.O

29/34/32

Order no L. 5966-67. D. 22/8/55

The Confirmation of the Sale ~~Mysore~~ by the C.P.T.B, Mysore at their meeting held on 28-10-54

of ~~the~~ Site no 24 to Sri Puttalingaiah

in public auction held on 11.10.54 at Rs 49/- (Rupees 49) ×

is approved ~~and he is intimated~~

~~by the Asst Secy/ the person~~

~~of Sri Ramaiah is rejected~~.

× Cost of site Collection

For Secy Edn & LSG Depts

Dft) R.9/8/55

Copy to

1) The Chairman city DTCB Mysore

2) The Controller LSD Bangalore

List of Enclosures.

Copied by

Examined by

WD 03540—GPB—40,000—13-8-53

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

R e a d:-

(1) Government Order No.L.11334-5/I.T.B. 6-54-3 dated 11-12-1954, approving the confirmation of the sale of site Nos.22,23, and 25 in New Statue Square, Mysore City by the City Improvement Trust Board, Mysore, and intimating that separate orders will issue in regard to the sale of site No.24 at the place.

(2) Correspondence ending with letter No.B3.C.503/53-54 dated 9-6-1955, from the Chairman, City Improvement Trust Board, Mysore, requesting for early orders of Government regarding the confirmation of sale of site No. 24.

***

ORDER NO. L. 5966-67/ITB. 10-55-2

DATED, BANGALORE, THE 22 AUGUST 1955.

The confirmation made by the City Improvement Trust Board, Mysore at their meeting held on 28-10-1954 of the sale of site No. 24 to Sri Puttalingiah in public auction held on 11-10-1954 at Rs. 49/- (Rupees forty nine only) per square yard is approved.

(V.Hanumanthappa)
For Secretary to Government,
Education & L.S.G.Departments.

TO

The Chairman, City Improvement Trust Board, Mysore.
The Controller, State Accounts Department, Bangalore.

MGK.5/18-8.

M G S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(Continuation sheet draft form).

No. L. 6083/ TB 10 TJ 32/54
D 22/8/55.

Endorsement granted to

Sri K. C. Ramaiah son

of Kodagi Channarayappa

Nut Merchant, Avenue Road

Bangalore city

Thro' his Counsels

Sri B.T. Kemparaj BA BL. and

Sri R.K. Pany, BA LL B

Advocates No 14 Avenue Road, Blore 2.

Subject:- Disposal of site No 24

in New Shame Square Landsare

Bazzar, Mysore.

With reference to his

petition dated 9.10.54 and in

Continuation of this office endorsement

No L 8515 dated 13.10.54 Sri K.C.

Ramaiah is hereby informed that

His petition is therefore rejected

21/2

for Secy Edn & LSG Depts

RC/8/55

Copy to the Chairman city Dev. Bd

Mysore for information.

21/2

for Secy Edn & LSG Depts

LC/8/55

× Page 'E'

× Page 'F'

that govt. see no reason to interfere with the decision taken by the C.D.T.B, Mysore

Memo. No. L-6034

WD 04860—GPB—40,000—22-1-54

GOVERNMENT OF MYSORE.

Mysore Government Secretariat,

No. L. 6033/97B.10-55-3. Dated Bangalore, 22/8/1955

ENDORSEMENT.

TO

Sri K.C.Ramaiah
S/O Kodagi Channarayappa,
Nut Merchant, Avenue Road,
Bangalore City.

thro'

Sri B.T.Kemparaj, B.A.,B.L.,
&
Sri R.K.Pany; B.A., LL.B.,
Advocates, No. 14, Avenue Road,
Bangalore-2.

Subject:- Disposal of site No. 24 in New Statue Square Lansdowne Bazaar, Mysore.

:-

With reference to his petition dated 9-10-1954 and in continuation of this office endorsement No. L.8515 dated 13-10-1954, Sri K.C.Ramaiah is hereby informed that Government see no reason to interfere with the decision taken by the City Improvement Trust Board, Mysore. His petition is therefore rejected.

Sd/- ...
(V.Hanumanthappa)
For Secretary to Government,
Education & L.S.G. Departments.

HGN.3/18-8.

P.T.O.

Memo No. E: 6034 Dt. 22/8/88

Copy is forwarded to the Chairman, City Improvement Trust Board, Mysore, for information.

(V.Hanumanthappa)
For Secretary to Government
Education & L.S.G.Department